

DOCKET NO.: PUAM-0257 (97-1387-1)

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Daniel Kahne, et al.

Application No.: 10/631,883

Filing Date: July 31, 2003

For: Glycopeptide Antibiotics, Combinatorial Libraries Of Glycopeptide Antibiotics  
And Methods Of Producing Same

Confirmation No.: 1801

Group Art Unit: 1639

Examiner: Jeffrey S. Lundgren

EXPRESS MAIL LABEL NO: EV 816192999 US  
DATE OF DEPOSIT: June 29, 2006

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

07/03/2006 TBSHAWA 06000024 233050 10631083  
01 FC:2001 395.00 BA

### REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL PURSUANT TO 37 CFR § 1.114

*(Note - RCE practice is not available to United States applications with a filing date prior to June 8, 1995 or United States National Phase Applications where entry into the national phase is from an International Application filed prior to June 8, 1995. However, if a Continued Prosecution Application was filed after June 8, 1995 in one of the above-identified applications, RCE practice would then be permitted on that application)*

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

#### 1. Submission required under 37 CFR § 1.114

☐ Previously submitted

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☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on . (Any unentered amendment(s) referred to above will be entered).

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☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on .

DOCKET NO.: PUAM-0257 (97-1387-1)- 2 -

PATENT

- ☐ Other: .
- ☒ Enclosed
- ☒ Amendment/Reply under 37 CFR § 1.116
- ☒ Affidavit(s)/Declaration(s): **Declaration of Daniel Kahne, Ph.D**
- ☐ Information Disclosure Statement (IDS)
- ☒ Other: Attachments 1 and 2

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed three (3) months; Fee under 37 CFR §1.17(i) required)

**FEE CALCULATION:**


				SMALL ENTITY		NOT SMALL ENTITY	
<input checked="" type="checkbox"/> RCE BASIC FILING FEE				\$395.00	\$395.00	\$790.00	\$
	CLAIMS REMAINING AFTER RCE	HIGHEST NO. PAID FOR	EXTRA				
TOTAL CLAIMS	44	97 (20 MINIMUM)	0	\$25 EACH	\$0.00	\$50 EACH	\$
INDEP. CLAIMS	2	6 (3 MINIMUM)	0	\$100 EACH	\$0.00	\$200 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$180	\$0.00	\$360	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$60	\$0.00	\$120	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$225	\$0.00	\$450	\$
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$510	\$510	\$1020	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$795	\$0.00	\$1590	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME (May only be taken when filing RCE in lieu of Appeal Brief)				\$1080	\$0.00	\$2160	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$0.00)	minus	(\$ )
<input type="checkbox"/> TERMINAL DISCLAIMER				\$65	\$0.00	\$130	\$
TOTAL FEE DUE					\$905.00		\$

- ☐ A check in the amount of \$\_\_\_\_\_ is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☒ Please charge Deposit Account No. 23-3050 in the amount of **\$905.00**. This sheet is attached in duplicate.

- ☒ A response to the Final Rejection dated December 29, 2005, and Advisory Action dated March 31, 2006, was due on March 29, 2006. Petition is hereby made under 37 CFR § 1.136(a) to extend the time period for response from March 29, 2006 to and through June 29, 2006 comprising an extension of the shortened statutory period of 3 month(s).
- ☐ A Notice of Appeal was filed . An Appeal Brief is due on . Applicants are filing this Request for Continued Examination in lieu of this Appeal Brief. Petition is hereby made to extend the time period from to and through comprising a total extension of month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.
- ☒ The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of the fees associated with this communication to Deposit Account No. 23-3050.

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: June 29, 2006

  
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